

REMARKS

The Office Action in the present case was mailed on April 26, 2004, making a response due on or before July 26, 2004. This response is being submitted, along with a Petition For Extension of Time Within the First Month, and the required fee. If any additional fee is due for the continued prosecution of this application, please charge the same to Applicant's Deposit Account No. 50-2555 (Whitaker, Chalk, Swindle & Sawyer, LLP).

Applicant has made several amendments to the Specification in the case to make the language of the specification match the description of Figure 4 of the drawings as originally filed. Although Figures 1 and 2 of the drawings originally showed the female bell pipe end 11 and gland fitting 31 to be formed of plastic, such as PVC, original Figure 4 of the drawings originally showed the female bell end 11 and gland fitting 31 to be formed of metal. Applicant has other cases which claim the female bell pipe end and mating male pipe section as being formed of plastic. Thus, Applicant is redirecting the coverage of the present case to the embodiment of the invention as shown in the original Figure 4 with the female bell end being formed of a metal, such as ductile iron. Applicant would submit that no new matter is being introduced, since Figure 4 of the drawings as originally filed was clearly cross hatched to show these parts as being formed of metal.

Applicant appreciates the Examiner's indication that Claim 11 would be allowed if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant has rewritten Claim 11 in independent form including all of the limitations of original Claim 7, from which it depends, with the exception that the word "plastic" has been omitted from the term "female plastic pipe having a bell end opening." Also, the second part of the claim language of Claim 11 has now been split out as a separate dependent claim. It was Applicant's understanding that the Examiner's reason for allowing Claim 11 was because of the limitation of "the teeth being initially contained within the resilient elastomeric material of the gasket body and thus out of contact with the exterior surface of the mating male pipe." This language is retained in the amended Claim 11.

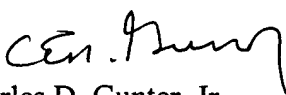
Based upon the above arguments and amendments, Claims 11 and 19 are thought to be allowable over the art of record and an early notification of the same would be appreciated.

No additional fee is thought to be due at this time. If any additional fee is due for the continued

prosecution of this application, please charge the same to Applicant's Deposit Account No. 50-2555 (Whitaker, Chalk, Swindle & Sawyer, LLP).

Respectfully submitted,

Date: August 24, 2004


Charles D. Gunter, Jr.
Reg. No. 29,386
Whitaker, Chalk, Swindle & Sawyer, LLP
301 Commerce St., Suite 3500
Fort Worth, Texas 76102
(817) 878-0504

ATTORNEY(S) FOR APPLICANT

F:\STOR\CDGS&B\PATENTS\PATRES\066AM.WPD